

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

L. G. PHILIPS LCD CO., LTD., :
:
Plaintiff, :
: Civil Action No.
v. : 04-343-JJF
:
TATUNG CO.; TATUNG COMPANY OF :
AMERICA, INC.; and VIEWSONIC :
CORPORATION, :
:
Defendants. :

Teleconference proceedings in the
above-captioned matter, before Adam D. Miller,
Registered Professional Reporter and Certified
Shorthand Reporter, on Thursday, June 28, 2007,
beginning at approximately 3:18 p.m.

BEFORE: VINCENT J. POPPITI, SPECIAL MASTER


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(302) 655-0477
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<p style="text-align: right;">Page 6</p> <p>1 to -- assuming that the claim constructions ultimately 2 used in the case are those that are in the 3 recommendations, which we'll obviously all expect is 4 likely to be the case -- but that would reduce, 5 significantly, I think, the number of discovery 6 requests that would be at issue for consideration with 7 the Court.</p> <p>8 SPECIAL MASTER POPPITI: Okay. 9 Mr. Christenson?</p> <p>10 MR. CHRISTENSON: Yes. Thank you, Your 11 Honor. Cass Christenson on behalf of LPL.</p> <p>12 The representations that are summarized in 13 Viewsonic's June 25th letter really reflect, I think, 14 some misconceptions and/or incorrect assumptions about 15 both the invention that's at issue and also LPL's 16 business, which impacts what LPL does and what 17 documents it does and does not have. So I can address 18 those issues as I discuss the representations that were 19 proposed by Viewsonic.</p> <p>20 The first representation that Viewsonic 21 requests is that LPL's LCD modules for desktop computer 22 monitors and televisions are, quote flat-panel display 23 devices, end quote, as that term is presently 24 construed.</p>	<p style="text-align: right;">Page 8</p> <p>1 are used to attach some component other than a housing 2 to the back of the module. In many cases that could be 3 a frame that the OEM maker attaches to the back of the 4 module. It could be a heat shield. It could be a 5 number of different things. And those different things 6 may then -- may or may not then be attached to a 7 housing.</p> <p>8 So whether the module is used as a 9 flat-panel display device or whether the module is used 10 as a part of a flat-panel display device really depends 11 on how the purchaser of that module uses the module in 12 the finished product. And as a result of that, we are 13 not in a position to state affirmatively which of our 14 modules have been used as flat-panel display devices or 15 to what extent.</p> <p>16 And, as a result of that, we really are not 17 in a position to provide discovery that addresses any 18 of the issues that Viewsonic refers to in its papers; 19 for example, the commercial success of the invention. 20 Our modules and documents about our modules would not 21 show anyone the extent to which those modules are used 22 down the road to practice our invention or not.</p> <p>23 MR. MILLER: Your Honor, this is Scott 24 Miller. May I respond?</p>
<p style="text-align: right;">Page 7</p> <p>1 And the problem with that proposed 2 representation is that LPL -- whether LPL makes 3 flat-panel display devices or whether LPL's modules are 4 used as flat-panel display devices for purposes of 5 these claims and the Court's constructions really 6 depends on what third-party OEM set makers do with 7 those modules. And I'll explain why.</p> <p>8 The constructions of the claims made clear 9 that the invention addresses the assembly of a 10 flat-panel display device attached at the rear surface 11 of a first frame to a housing. And the flat-panel 12 display device, that the first -- the frame at the back 13 of the flat-panel display device is typically a 14 separate frame that is added by the OEM set maker to 15 LPL's module after LPL's module would be sold and 16 shipped.</p> <p>17 And, really, LPL doesn't know what the set 18 makers that buy its modules do to mount those modules 19 into a housing. LPL doesn't know of instances where 20 those modules are directly attached to a housing at the 21 back of the module itself. And LPL doesn't intend 22 specifically for that to happen.</p> <p>23 LPL, in some cases, has certain holes at 24 the back of the module. And, typically, those holes</p>	<p style="text-align: right;">Page 9</p> <p>1 SPECIAL MASTER POPPITI: Yes, please. 2 MR. MILLER: Well, I think that 3 Mr. Christenson's arguments just ignore what I believe 4 is the construction the Court has recommended be 5 adopted for "flat-panel display device."</p> <p>6 As I understand the construction, it talks 7 about a display device having a flat-display panel 8 sandwiched by the first and second frames. And the 9 first and second frames are defined as the structure at 10 the back of the flat-panel display device put together 11 where the second frame structure sandwiches at least 12 the flat-display panel. And the second frame's 13 definition's been familiar to first frame, just using 14 the first frame in conjunction with the second frame 15 structure.</p> <p>16 SPECIAL MASTER POPPITI: That's correct. 17 MR. MILLER: I don't believe that there's 18 anything about the LCD module that LPL makes that isn't 19 exactly in conformance with the general structure 20 identified in Figure 4C of the patents and the 21 Component 16, which the patent identifies as the second 22 frame; Component 12, which the patent identifies as the 23 flat-display panel; and Component 14G, which the patent 24 identifies as the first frame.</p>

<p style="text-align: right;">Page 10</p> <p>1 And I think it is just -- you know, defies 2 logic, in my view, to argue that a module made by LPL 3 is not a flat-panel display device. But if that's the 4 position they're going to assert in this case, it is -- 5 it certainly crystallizes why the discovery relating to 6 their products is critical in the matter; because the 7 products that Viewsonic sells that are accused of 8 infringement use LCD modules.</p> <p>9 And if that's a noninfringing component on 10 the product, we're entitled to be able to show the jury 11 exactly what it is about LPL products they contend is 12 not a flat-panel display device when deciding the 13 issues of infringement and why suddenly it becomes a 14 flat-panel display device when it somehow has a bracket 15 attached to it in some fashion.</p> <p>16 And that also directly impacts the scope of 17 the prior art that the experts would have to analyze</p> <p>18 So I think that this whole idea that a 19 flat-panel display device is not an LCD module is 20 just -- you know, I don't understand how it exists 21 under the construction that the Court has articulated.</p> <p>22 SPECIAL MASTER POPPITI: Well, I -- and 23 it's not for me to try to understand how it exists or 24 whether it doesn't exist. But you have correctly</p>	<p style="text-align: right;">Page 12</p> <p>1 the module should be equated with the flat-panel 2 display device. And that's simply not the case. And 3 that's not your construction, nor is that what the 4 patent says.</p> <p>5 MR. MILLER: Your Honor, this is Scott 6 Miller. Two quick things. I don't think that adding a 7 bracket to the back of a flat-panel display device as 8 defined in Figure 4C changes the character of whether 9 or not the LCD module is a flat-panel display device. 10 And we can argue at some point in time -- and I know 11 you don't want to hear the argument today -- about 12 whether adding a further bracket to the back of element 13 14G in Figure 4C of the patents constitutes a new first 14 frame and obliterates 14G from being the first frame. 15 But it doesn't impact in any fashion the representation 16 that we're seeking, which is that the LCD modules they 17 make are flat-panel display devices as the term is 18 construed by the Court.</p> <p>19 And those modules are flat-panel display 20 devices we believe. And we believe -- I think 21 Mr. Christenson just acknowledged they are. And, as a 22 result, I don't know -- I'm not sure why we can't have 23 the representation so that we can reduce the discovery 24 burden on the parties going forward on these issues.</p>
<p style="text-align: right;">Page 11</p> <p>1 described what the claim construction did, what it 2 was -- what it intended to do.</p> <p>3 And, Mr. Christenson, I want to know why 4 you think that Mr. Miller's analysis isn't absolutely, 5 absolutely correct.</p> <p>6 MR. CHRISTENSON: Your Honor, I think 7 Mr. Miller may have misunderstood what I was saying. I 8 wasn't not suggesting that the module could not be a 9 flat-panel display device under the construction. What 10 I was suggesting was, it would depend -- whether 11 that -- whether the module is a flat-panel display 12 device under the construction -- i.e., a device that 13 is, that could be attached at the rear surface of the 14 first frame to a housing -- depends on whether that 15 module is combined with another first -- with a first 16 frame in addition to the back surface of the module and 17 then attached to a housing.</p> <p>18 If that happens, then the module itself is 19 not the device, the flat-panel display device, because 20 there is that separate first frame that sandwiches that 21 module; all of which is completely consistent with the 22 construction that you gave.</p> <p>23 As I understand what Mr. Miller's 24 suggesting, it seems to sound like he's suggesting that</p>	<p style="text-align: right;">Page 13</p> <p>1 MR. AMBROZY: Your Honor, it's Rel 2 Ambrozy --</p> <p>3 SPECIAL MASTER POPPITI: Mr. Christenson, 4 you did clarify what you intended to say; and you did 5 make a concession, did you not?</p> <p>6 MR. CHRISTENSON: Your Honor --</p> <p>7 SPECIAL MASTER POPPITI: I think what 8 you're saying is your concession isn't as broad as the 9 request for a representation; correct?</p> <p>10 MR. CHRISTENSON: Correct, Your Honor. My 11 statement was simply that the module could be used as a 12 flat-panel display device. But whether, whether that 13 is how it is used or not by an OEM depends on what the 14 OEM does.</p> <p>15 And Mr. Miller uses the term "bracket" and 16 I use the term "first frame" to describe what in many 17 cases happens when the OEM maker takes the module; in 18 many cases there is a first frame added to the module, 19 and then that is attached to the housing. And that 20 clearly practices our invention under the claim 21 construction and under the scope of the patent claims.</p> <p>22 MR. AMBROZY: Your Honor, it's Rel Ambrozy. 23 I think the one limitation you also have to look at, 24 you cannot just look at the one flat-panel display</p>

EXHIBIT B



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sandwich

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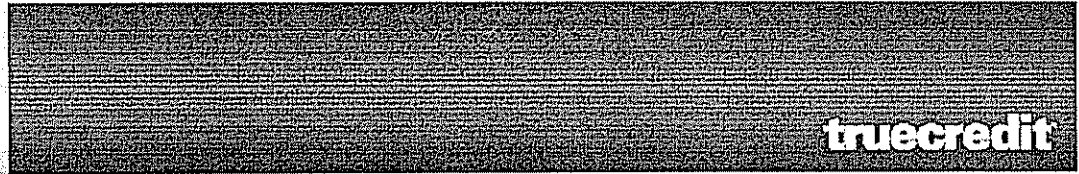
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sand·wich  [sand-wich, san-] [Pronunciation Key](#) - [Show IPA](#)
Pronunciation

-noun

1. two or more slices of bread or the like with a layer of meat, fish, cheese, etc., between each pair.
2. OPEN SANDWICH.
3. something resembling or suggesting a sandwich, as something in horizontal layers: *a plywood sandwich.*

-verb (used with object)


4. to put into a sandwich.
5. to insert between two other things: *to sandwich an appointment between two board meetings.*

[Origin: 1755-65; named after the fourth Earl of *Sandwich* (1718-92)]

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Sand·wich  [sand-wich, san-] [Pronunciation Key](#) - [Show IPA](#)
Pronunciation

-noun

a town in E Kent, in SE England; one of the Cinque Ports. 4467.

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sand·wich  (sānd'wīch, sān'-) [Pronunciation Key](#)

- a. Two or more slices of bread with a filling such as meat or cheese placed between them.
 - b. A partly split long or round roll containing a filling.
 - c. One slice of bread covered with a filling.
2. Something resembling a sandwich

tr.v. **sand·wiched, sand·wich·ing, sand·wich·es**


1. To make into or as if into a sandwich.
2. To insert (one thing) tightly between two other things of differing character or quality
3. To make room or time for: *sandwiched a vacation between business trips.*

[After John Montagu, Fourth Earl of Sandwich (1718–1792), British politician.]



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[Spicy Chicken Sandwich](#)
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Sand·wich   (sānd'wich', sān'-) [Pronunciation Key](#)

A municipal borough of southeast England north of Dover. One of the original Cinque Ports, it is now a resort and market center. Population: 4,227.

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sandwich

1762, said to be an allusion to John Montagu (1718–92), Fourth Earl *Sandwich*, who was said to be an inveterate gambler who ate slices of cold meat between bread at the gaming table during marathon sessions rather than get up for a proper meal (this account dates to 1770). It was in his honor that Cook named the Hawaiian islands (1778). The verb is from 1861. *Sandwich board* is from 1864. The family name is from the place in Kent, O.E. *Sandwicæ*, lit. "sandy harbor (or trading center)." For pronunciation, see [cabbage](#).

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sandwich

1. two (or more) slices of bread with a filling between them

verb

1. make into a sandwich
2. insert or squeeze tightly between two people or objects; "She was sandwiched in her airplane seat between two fat men"

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sandwich ['sænwɪdʒ, (American) -wɪtʃ] *noun*

slices of bread etc with food between

Example: *cheese sandwiches*

<i>Arabic</i> : ساندويش، شطير	<i>Japanese</i> : サンドイッチ
<i>Chinese (Simplified)</i> : 三明治	<i>Korean</i> : 샌드위치
<i>Chinese (Traditional)</i> : 三明治	<i>Latvian</i> : sendvičs; sviestmaize
<i>Czech</i> : sendvič	<i>Lithuanian</i> : sumuštinis
<i>Danish</i> : sandwich	<i>Norwegian</i> : (dobbelt) smørbrød
<i>Dutch</i> : sandwich	<i>Polish</i> : kanapka
<i>Estonian</i> : (kahe poolega) võileib	<i>Portuguese (Brazil)</i> : sanduíche
<i>Finnish</i> : kerrosvoileipä	<i>Portuguese (Portugal)</i> : sanduíche
<i>French</i> : sandwich	<i>Romanian</i> : sandviș
<i>German</i> : das Sandwich	<i>Russian</i> : сандвич, бутерброд
<i>Greek</i> : σάντουιτς	<i>Slovak</i> : sendvič
<i>Hungarian</i> : szendvics	<i>Slovenian</i> : sendvič
<i>Icelandic</i> : samloka	<i>Spanish</i> : bocadillo, sándwich
<i>Indonesian</i> : roti tangkep	<i>Swedish</i> : dubbelsmörgås, sandwich
<i>Italian</i> : sandwich	<i>Turkish</i> : sandviç

sandwich ['sænwɪdʒ, (American) -wɪtʃ] *verb*

to place or press between two objects etc

Example: *His car was sandwiched between two lorries.*

<i>Arabic</i> : يَضَعُ شَيْئًا بَيْنَ شَيْئَيْنِ وَيَضْغُ عَلَيْهِ	<i>Japanese</i> : 間にはさむ
<i>Chinese (Simplified)</i> : 夹在二者中间	<i>Korean</i> : ...을 사이에 끼우다
<i>Chinese (Traditional)</i> : 夾在二者中間	<i>Latvian</i> : iespiest (starpā); saplacināt
<i>Czech</i> : sevřít	<i>Lithuanian</i> : suploti
<i>Danish</i> : klemme ind	<i>Norwegian</i> : være inneklemt mellom
<i>Dutch</i> : klemmen	<i>Polish</i> : wcisnąć coś między
<i>Estonian</i> : vaha pressima	
<i>Finnish</i> : puristaa	

<i>French</i> : serrer entre	<i>Portuguese (Portugal)</i> : comprimir
<i>German</i> : einklemmen	<i>Romanian</i> : a fi strivit
<i>Greek</i> : στριμώχνω	<i>Russian</i> : вставлять, втискивать
<i>Hungarian</i> : (köz) beékelődik	<i>Slovak</i> : vložiť (medzi dve vrstvy), vtlačiť
<i>Icelandic</i> : klemma	<i>Slovenian</i> : vriniti, stisniti (med . .)
<i>Indonesian</i> : mengapit	<i>Spanish</i> : encajonar, apretujar entre dos objetos; intercalar
<i>Italian</i> : serrare	<i>Swedish</i> : klämma emellan, vara (bli) inklämd
	<i>Turkish</i> : arasına koymak, sıkıştırmak

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Sandwich, IL (city, FIPS 67548) Location: 41.64658 N, 88.62308 W
Population (1990): 5567 (2158 housing units)
Area: 6.2 sq km (land), 0.0 sq km (water)
Zip code(s): 60548

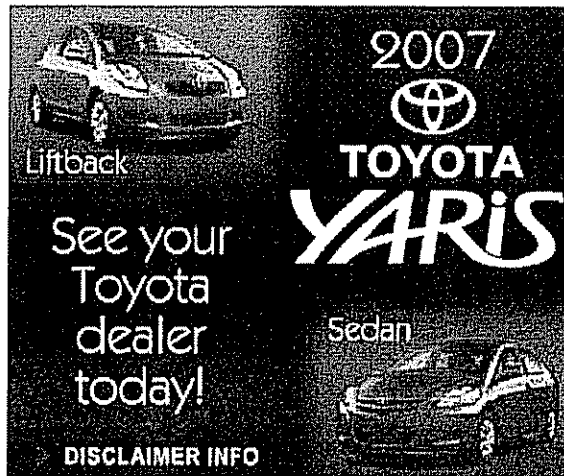
Sandwich, MA (CDP, FIPS 59700) Location: 41.75783 N, 70.49981 W
Population (1990): 2998 (1688 housing units)
Area: 9.4 sq km (land), 0.4 sq km (water)
Zip code(s): 02563

Center Sandwich, NH Zip code(s): 03227

East Sandwich, MA (CDP, FIPS 20380) Location: 41.73835 N, 70.43457 W
Population (1990): 3171 (1732 housing units)
Area: 19.2 sq km (land), 0.1 sq km (water)
Zip code(s): 02537

North Sandwich, NH Zip code(s): 03259

U.S. Gazetteer, U.S. Census Bureau



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EXHIBIT C

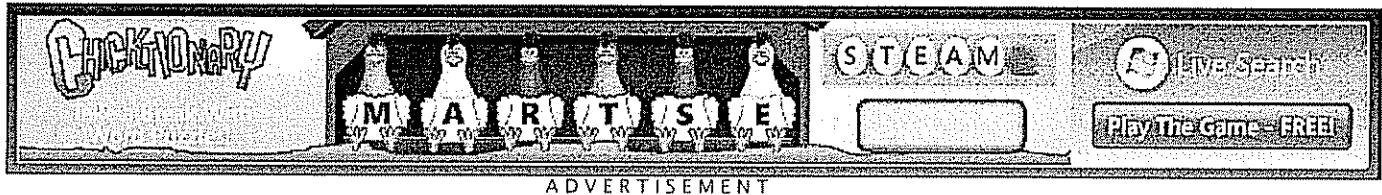
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device

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de·vice [di-**vahys**] [Pronunciation Key](#) - [Show IPA Pronunciation](#)

-noun

1. a thing made for a particular purpose; an invention or contrivance, esp. a mechanical or electrical one.
2. a plan or scheme for effecting a purpose.
3. a crafty scheme; trick.
4. a particular word pattern, figure of speech, combination of word sounds, etc., used in a literary work to evoke a desired effect or arouse a desired reaction in the reader: *rhetorical devices*.
5. something elaborately or fancifully designed.
6. a representation or design used as a heraldic charge or as an emblem, badge, trademark, or the like.
7. a motto.
8. *Archaic.* devising; invention.

[Origin: 1375-1425; b. late ME *devis* division, discourse and *devise* heraldic device, will; both < AF, OF < L *divīsa*, fem. of *divīsus*; see [DIVISION](#)]

—*Related forms*

de·vice·ful, *adjective*

de·vice·ful·ly, *adverb*

de·vice·ful·ness, *noun*


—*Synonyms* 1. gadget. 2. project, design. 3. wile, ruse, artifice, stratagem, maneuver. 7. slogan, legend.



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de·vice  (dī·vīs') Pronunciation Key

n.

1. A contrivance or an invention serving a particular purpose, especially a machine used to perform one or more relatively simple tasks.
2.
 - a. A technique or means.
 - b. A plan or scheme, especially a malign one.
3. A literary contrivance, such as parallelism or personification, used to achieve a particular effect.
4. A decorative design, figure, or pattern, as one used in embroidery. See Synonyms at figure.
5. A graphic symbol or motto, especially in heraldry.
6. *Archaic* The act, state, or power of devising.

[Middle English, from Old French *devis*, *division*, *wish*, and Old French *deviser*, *design*, both from Latin *divisus*, *divisa*, past participle of *dividere*, *to divide*, *separate*; see divide.]

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device

c.1290, from O.Fr. *devis* "division, separation, disposition, wish, desire," from L. *divisus*, pp. of *dividere* "to divide" (see divide). Sense of "method by which something is divided" arose in Fr. and led to modern meaning.

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device

noun

1. an instrumentality invented for a particular purpose: "the device is

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water"

2. something in an artistic work designed to achieve a particular effect
3. any clever maneuver; "he would stoop to any device to win a point"; "it was a great sales gimmick"; "a cheap promotions gimmick for greedy businessmen"
4. any ornamental pattern or design (as in embroidery)
5. an emblematic design (especially in heraldry); "he was recognized by the device on his shield"

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device

see leave to someone's own devices.

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device¹ [di'vais] *noun*

something made for a purpose, eg a tool or instrument

Example: *a device for opening cans*

<i>Arabic:</i> جهاز، أداة، آلة	<i>Japanese:</i> 考案物
<i>Chinese (Simplified):</i> 装置，器件	<i>Korean:</i> 도구, 장치
<i>Chinese (Traditional):</i> 裝置，器件	<i>Latvian:</i> ierīce
<i>Czech:</i> nástroj, přístroj	<i>Lithuanian:</i> prietaisas
<i>Danish:</i> mekanisme; apparat	<i>Norwegian:</i> apparat, innretning, anordning, hjelperåd
<i>Dutch:</i> apparaat	<i>Polish:</i> przyrząd
<i>Estonian:</i> seadis	<i>Portuguese (Brazil):</i> instrumento
<i>Finnish:</i> laite	<i>Portuguese (Portugal):</i> instrumento
<i>French:</i> appareil	<i>Romanian:</i> aparat; mecanism; dispozitiv
<i>German:</i> das Gerät	<i>Russian:</i> приспособление
<i>Greek:</i> συσκευή	<i>Slovak:</i> nástroj
<i>Hungarian:</i> eszköz	<i>Slovenian:</i> naprava
<i>Icelandic:</i> tæki, útbúnaður	<i>Spanish:</i> aparato
<i>Indonesian:</i> alat	<i>Swedish:</i> anordning, apparat
<i>Italian:</i> congegno	<i>Turkish:</i> alet, cihaz, araç

device² [di'vais] *noun*

a plan or system of doing something, sometimes involving trickery

Example: *This is a device for avoiding income tax.*

<i>Chinese (Simplified):</i> 手段	<i>Korean:</i> 계획, 책략, 방법
<i>Chinese (Traditional):</i> 手段	<i>Latvian:</i> plāns; projekts; triks
<i>Czech:</i> trik, plán	<i>Lithuanian:</i> būdas, priemonė
<i>Danish:</i> plan; strategi	<i>Norwegian:</i> påfunn, list
<i>Dutch:</i> middel, truc	<i>Polish:</i> sposób
<i>Estonian:</i> võte	<i>Portuguese (Brazil):</i> expediente
<i>Finnish:</i> keino	<i>Portuguese (Portugal):</i> processo
<i>French:</i> truc	<i>Romanian:</i> truc
<i>German:</i> der Kniff	<i>Russian:</i> cnoco6
<i>Greek:</i> τέχνασμα	<i>Slovak:</i> trik
<i>Hungarian:</i> megoldás	<i>Slovenian:</i> sredstvo
<i>Icelandic:</i> aðferð; kærnskubragð	<i>Spanish:</i> mecanismo, truco, estratagema
<i>Indonesian:</i> cara	<i>Swedish:</i> påhitt, knep
<i>Italian:</i> stratagemma	<i>Turkish:</i> düzen, hile

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de·vice (dī-vī's')

n.

A contrivance or an invention serving a particular purpose, especially a machine used to perform one or more relatively simple tasks.

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Main Entry: de·vice

Pronunciation: dī-'vīs

Function: *noun*

: a piece of equipment or a mechanism designed to serve a special purpose or perform a special function

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device

peripheral

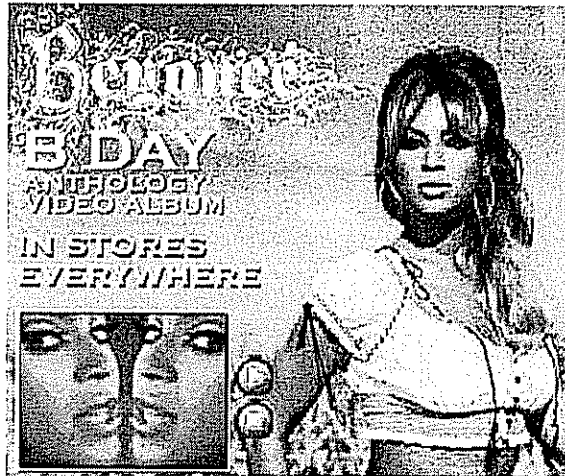
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